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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,367	01/11/2002	Kevin Scott Beyer	ARC920010085US1	6325

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EXAMINER

RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
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2164

DATE MAILED: 01/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/042,367

Applicant(s)

BEYER ET AL.

Examiner

Sam Rimell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-11 and 17-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-11, 17-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 7-11, 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Kraft et al. (U.S. Patent 6,516,312).

Claim 1: FIG. 6A defines a log file having a logged set of search results. Some of results, such as the term “RMI” where actual user queries used to determine the results (see col. 8, lines 56-57 where the term “RMI” is a user query that also appears in the log file displayed in FIG. 6A). The user can analyze the log file of FIG. 6A and generate a synthetic query (i.e. an automatic query) by simply pressing the hypertext “RMI” in FIG. 6A, which generates an additional query at the web browser (14), which constitutes a web crawler. The results are displayed in FIG. 6B.

Claim 2: FIG. 6A illustrates the parameters, which are keywords (“RMI”) and URLs that contain the keyword. The data entries in FIG. 6A are ranked from 1-5, indicating at least a single occurrence of the keyword “RMI”. As seen in FIG. 6A, any further entries beyond the fifth ranked hit are excluded, as the ranked list only shows 5 hits. FIG. 6A further illustrates multiple entries, which constitute combinations of entries that can be used for the synthetic queries.

Claim 3: FIG. 6A and 6B illustrate multiple instances of the term “RMI” which can be queried as a synthetic query. These multiple instances constitute “combinations of entries”.

Claim 4: The entries illustrated in FIG. 6A can either be referred as limited text entries since they are abstracts, or unlimited text entries since they are linked to complete articles. Since each one of entries in FIG. 6A is an abstract, it inherently has certain words removed in comparison to the full and complete article. It is also observed that certain stop words, such as “by”, “and”, “the” do not appear in any of the entries. Certain words are abbreviated, such as the month of publication and the author’s full name.

Claim 5: The log file (FIG. 6A) is maintained by the proxy server (100).

Claim 7: FIG. 3 illustrates a log file (260). The log file contains abstracts obtained from both a web crawler (200) and previous queries by the user at browser (140—col. 7, lines 4-6 and col. 7, lines 54-60). Using the log file (260) a set of possible queries are identified. These are illustrated in FIG. 6A as underlined terms. Queries are considered to be “HTML form input data” since they are hyperlink data that are entered into forms, such as the interface of FIG. 6A or a user browser (col. 6, lines 18-23). The queries are made by clicking on the underlined keyword. Each query is a synthesis of information, including limited text entry (an abstract), predefined sets (a URL) and unlimited text entry (linkage to the full article). The queries are automatically provided to the user at browser (140), which is also readable as a web crawler because it can traverse websites.

Claim 8: The abstract portions of the query entries in FIG. 6A are maintained in log file (260). However, the entire abstract with the keywords are stored in a separate log file (120—col. 7, lines 33-35).

Claim 9: Both the log files (260) and (120) are maintained by a proxy server (100).

Claim 10: FIG. 6A illustrates one single set of ranked entries. Each entry can be referred to as one of a predetermined set, limited text entry or unlimited text entry for the reasons set forth in claim 7. Entries beyond the fifth entry are excluded. FIG. 6A further illustrates paired entries. For example, each keyword entry is paired to a URL entry.

Claim 11: Each of the entries shown in FIG. 6A are abstracts and thus inherently have certain words removed in comparison the original text. In addition, certain stop words, such as “by”, “and”, “the” do not appear in the text of FIG. 6A.

Claim 17: See remarks for claims 1 and 2.

Claim 18: See remarks for claim 4.

Claim 19: See remarks for claim 5.

Remarks

Applicant's arguments and amendments have been considered. Claim 1 has been amended to define a log file having user queries. FIG. 6A teaches a set of data that constitutes a log file with a log a search results. The log file contains user queries by reason that certain terms (“RMI”) that appear in the results where actually previous query terms (“RMI” appears as query term at col. 8, line 56-57). A synthetic query can then be generated by clicking on the hyperlinked term “RMI” is the log file to generate an automatic query of the term. The results are shown in FIG. 6B.

Claim 7 has been amended to define HTML form input data. The hyperlinks shown in FIG. 6A are HTML data. Clicking on the hyperlink generates a query at the browser. The user interface at the browser is the “form” which is claimed. Also, it is noted that the term “HTML

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form” could be referring only to the usage of “HTML format” without any requirement for a physical form or user interface representing a form.

Claim 17 has been amended to define HTML input for a webcrawler. The hyperlinks of FIG. 6A are HTML input for the user’s browser, which read as the claimed web crawler.


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